

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

MAXXI BROOKS

PLAINTIFF

v.

No. 3:19-cv-182-DPM

GRANT DEPOW, Deputy Prosecuting
Attorney, Craighead County; JONESBORO
POLICE DEPARTMENT; JONESBORO
INSURANCE COMPANY; and STATE
AUTO INSURANCE COMPANY

DEFENDANTS

ORDER

1. Brooks's motion to proceed *in forma pauperis*, No 1, is granted. She can't afford the filing fee.


2. The Court must screen Brooks's complaint. 28 U.S.C. § 1915(e)(2). Brooks says that a Craighead County deputy prosecutor and the Jonesboro Police Department falsified evidence against her in her state criminal case. No 2 at 4. She also pleads that two insurance companies gave false reports about her to the police. *Ibid*.

Brooks's claims against the prosecuting attorney and the Police Department are barred by *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994). A judgment in her favor would call into question her state-court conviction. And Brooks hasn't alleged that her conviction has been reversed, expunged, or invalidated. *Ibid*.

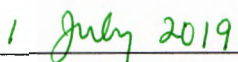
Brooks doesn't appear to have a federal claim against the insurance companies. She hasn't pleaded facts establishing diverse citizenship or a sufficient amount in controversy. And the Court sees no federal question in a dispute about either company's allegedly false report to police. The Court declines to exercise supplemental jurisdiction over any state law claim. 28 U.S.C. § 1367(c)(3).

3. Brooks's motion for a lawyer, *No* 3, is denied without prejudice as moot.

So Ordered.



D.P. Marshall Jr.
United States District Judge



1 July 2019